

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, FEBRUARY 16, 2016.

[16]

JOURNAL OF THE HOUSE.

Tuesday, February 16, 2016.

Met at according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Michlewitz of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Michlewitz), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Messages from the Governor.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year 2016 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4009), was filed in the office of the Clerk on Friday, February 12.

Supplemental
appropriations.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

A message from His Excellency the Governor recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 4010), was filed in the office of the Clerk on Friday, February 12.

Municipal
roads and
bridges,—
bonds.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Transportation. Sent to the Senate for concurrence.

Petitions.

Miss Garry of Dracut presented a petition (accompanied by bill, House, No. 4012) of Colleen M. Garry (by vote of the town) relative to the appointment of special police officers in the town of Dracut; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Dracut,—
special police.

Petitions severally were presented and referred as follows:

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley for legislation to authorize employees of the South Shore Charter School to join the state employees retirement system.

South Shore
Charter School,—
retirement.

By Mr. Moran of Lawrence, a petition (subject to Joint Rule 12) of Frank A. Moran relative to leaving animals unattended in motor vehicles under conditions that endanger the health or well-being of said animals.

Animals,—
motor vehicles.

By Representative Naughton of Clinton and Senator Lesser, a joint petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., and Eric P. Lesser relative to benefits for members of the Massachusetts National Guard.

National
Guard,—
benefits.

By Ms. Peisch of Wellesley, a petition (subject to Joint Rule 12) of Alice Hanlon Peisch for legislation to authorize the Department of Elementary and

Summer
learning,—
grants.

Secondary Education to establish a grant program to support the development and expansion of high quality, comprehensive summer learning opportunities for students in districts with high concentrations of low income students.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill to improve public records (House, No. 3858, amended), came from the Senate with the endorsement that said branch had insisted on its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2127; and striking out the title and inserting in place thereof the following title: “An Act improving the administration and enforcement of public records law”) (in which the House had non-concurred).

Public
records
laws.

The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches, and that Senators Lovely, Lewis and Humason had been appointed the committee on the part of the Senate.

Committee of
conference.

Bills

Further regulating the enforcement of illegal hunting practices (Senate, No. 2069, amended by inserting after section 1 the following section:—

Hunting,—
illegal
practices.

SECTION 1A. Section 26 of chapter 90B of the General Laws, as so appearing, is hereby amended by inserting, after the word “case” in line 69, the words, “; provided, however, that during the hunting season, a person with a valid hunting license may carry, unloaded, outside such a case, for the purpose of hunting, a firearm, rifle or shotgun in or on a snow vehicle or recreation vehicle or on a trailer or sled attached to such a vehicle or trailer.”; in section 10 (as published), in lines 263 and 264, by striking out the text contained in those lines; in line 427, by inserting before the article “A” the following sentence: “The compact administrator for the commonwealth shall be the director of fisheries and wildlife or a designee.”; in line 471, by inserting after the word “presented” the words “by compact administrator”; and by adding the following section:

“SECTION 11. The division of fisheries and wildlife shall promulgate rules and regulations for the implementation of the Wildlife Violator Compact, established in section 10, within 6 months after of the effective date of this act.”) (on Senate bill No. 446); and

To modernize firm leadership structures (Senate, No. 2126, amended in section 2, in line 6, by inserting after the word “of” the words “a license or”) (on Senate bill No. 1168);

Accountancy
firms.

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Further regulating condominium associations (Senate, No. 723, amended in line 4 (as published) by inserting after the word “action” the words “unless the request was unreasonable or was designed or intended to harass or intimidate”; and (as changed by the Senate committee on Bills in the Third Reading) by inserting the following section:—

Condominium
associations.

SECTION 1. Section 1 of chapter 142A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the definition of

“Claimant” and inserting in place thereof the following definition:—

“Claimant”, an owner and resident of a residential building, containing at least 1 but not more than 4 dwelling units, who has entered into a construction contract with a contractor to carry out construction work on the building or an owner and resident of a single condominium unit in a residential building, who has entered into a construction contract with a contractor to carry out construction work on an area of the building under that owner’s exclusive control, and who is making a claim against said contractor for failure of performance under the contract.) (on a petition); and

Providing for further protection from pertussis (Senate, No. 2074) (on Senate bill No. 1993);

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2131) of Stanley C. Rosenberg and Susannah M. Whipps Lee (by vote of the town) for legislation relative to the retirement benefits of Robert H. Minor, was referred, in concurrence, to the committee on Public Service.

Newborns,—
pertussis.

Erving,—
Robert H.
Minor.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Garrett J. Bradley, Viriato M. deMacedo and Hannah Kane relative to naming a certain building at the Massachusetts College of Art and Design as the William J. Hannon Design and Media Center. To the committee on Higher Education.

Joint petition (accompanied by bill) of Hannah Kane relative to condominium elections. To the committee on Housing.

Petition (accompanied by bill) of Christine P. Barber, Paul J. Donato and Patricia D. Jehlen for legislation to establish a sick leave bank for Denise Martinez, an employee of the Massachusetts Commission for the Deaf and Hard of Hearing. To the committee on Public Service.

Under suspension of the rules, on motion of Mr. Hill of Ipswich, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Hannon Design
and Media
Center.

Condominium
elections.

Denise Martinez,—
sick leave.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, asking to be discharged from further consideration of the message from His Excellency the Governor recommending legislation relative to promoting sustainable economic development in Massachusetts (House, No. 3978),— and recommending that the same be referred to the committee on Revenue. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Economic
development,—
taxes.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill establishing a board of registration in physical therapy (House, No. 176).

By Ms. Hogan of Stow, for the committee on Public Health, on House, No.

Physical
therapy,—
licensing.

Nurse licensure
compact.

2002, a Bill relative to nurse licensure compact in Massachusetts (House, No. 3996).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to cosmetology (House, No. 221).

Cosmetology.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to school threats (House, No. 447).

Schools,—
threats.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill instructing the Massachusetts Department of Fish & Game to study the feasibility of repurposing the former Moon Island Sewage Treatment Plant for the purposes of fish and shellfish farms (House, No. 621).

Moon Island,—
fish, etc.
farming.

By the same member, for the same committee, on a petition, a Bill instructing the Massachusetts Department of Conservation and Recreation to study the feasibility of establishing an animal shelter and dog park on state-owned property in the city of Quincy (House, No. 622).

Quincy,—
animal shelter
and dog park.

By the same member, for the same committee, on a joint petition, a Bill establishing the Assawompset Pond Complex flood management district commission (House, No. 732).

Assawompset
Pond Complex.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill regulating residential paving (House, No. 217).

Residential
paving,—
regulate.

By the same member, for the same committee, on a petition, a Bill relative to the sale of children's jewelry (House, No. 253).

Children's
jewelry.

By the same member, for the same committee, on a petition, a Bill expanding access to craft beer (House No. 3726).

Craft beer,—
access.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the use of Glyphosate by utility companies and/or government entities on land located within, on, or above a federally-designated sole source aquifer (House, No. 717).

Glyphosate.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on Senate, Nos. 822, 899 and 922 and House, No. 1557, a Bill to properly punish the solicitation of felony crimes (House, No. 4005).

Felonies,—
solicitation.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

The engrossed Bill authorizing the town of Norwood to grant additional licenses for the sale of wine and malt beverages to be drunk on the premises (see House, No. 3684, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

Engrossed bills

Authorizing the merger of the Annawon Council, Inc., Boy Scouts of America into the Narragansett Council, Boy Scouts of America (see Senate, No. 2041, amended) (which originated in the Senate); and

Bills
enacted.

Further regulating the membership of the school committee in the city of Lawrence (see House, No. 3604) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and it were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill authorizing the town of Shrewsbury to grant an additional liquor license (House, No. 3880), was read a third time.

Shrewsbury,—
liquor license.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 10, by inserting after the word “taxes” the word “, contributions”.

The amendment was adopted; and the bill (House, No. 3880, amended) was sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o’clock A.M.

Next
sitting.

At eight minutes after eleven o’clock A.M., on motion of Mr. Hill of Ipswich (Mr. Michlewitz of Boston being in the Chair), the House adjourned, to meet the following Thursday at eleven o’clock A.M., in an Informal Session.